

791 KAR 1:050. Application for license for commercial driver license training school.

RELATES TO: KRS 165A.330(1), 165A.370, 165A.450, 165A.465, 165A.470, 165A.475, 165A.480(1)

STATUTORY AUTHORITY: KRS 165A.340(6), 165A.400, 165A.465(3), 165A.475, 165A.510

NECESSITY, FUNCTION, AND CONFORMITY: KRS 165A.340(6) and 165A.400 authorize the Kentucky Commission on Proprietary Education to promulgate administrative regulations to administer the provisions of KRS Chapter 165A. KRS 165A.465, 165A.475, and 165A.510 require the commission to promulgate administrative regulations establishing standards and an application procedure for commercial driver license training schools. This administrative regulation establishes the application procedures for commercial driver license training schools.

Section 1. Application for Kentucky Resident Commercial Driver License Training School.

(1) Prior to establishment of a commercial driver license training school residing in Kentucky, the school owner shall:

- (a) Complete and submit to the commission Form PE 30, Application for Resident Commercial Driver License Training School, with supporting documentation as listed on the form;
- (b) Pay the nonrefundable application fee of \$200 established in KRS 165A.475(2);
- (c) Pay the nonrefundable license fee for a commercial driver license training school residing in and doing business in Kentucky of \$500;
- (d) Pay the nonrefundable contribution to the Student Protection Fund of \$500; and
- (e) Meet the requirements of Section 4 of this administrative regulation.

(2) All fees shall be submitted by certified check or money order payable to the "Kentucky State Treasurer".

Section 2. Application for Non-Kentucky Resident Commercial Driver License Training School. (1) Prior to establishment of a commercial driver license training school not residing in Kentucky but recruiting, advertising, or otherwise doing business in Kentucky, the school's owner shall:

- (a) Complete and submit to the commission Form PE 31, Application for Non-Resident Commercial Driver License Training School with supporting documentation as listed on the form;
- (b) Pay the nonrefundable application fee of \$200 established in KRS 165A.475(2);
- (c) Pay the nonrefundable license fee for a commercial driver license training school not residing in and doing business in Kentucky of \$1,250;
- (d) Pay the nonrefundable contribution to the Student Protection Fund of \$1,250; and
- (e) Meet the requirements of Section 4 of this administrative regulation.

(2) All fees shall be submitted by certified check or money order payable to the "Kentucky State Treasurer".

Section 3. Annual Renewal License Fee for Commercial Driver License Training Schools.

(1)(a) Except as provided in paragraph (b) of this subsection, the annual renewal license fee for a school residing in and doing business in Kentucky shall be \$500.

(b) If the school's gross revenue exceeds \$50,000, the annual renewal license fee for a commercial driver license training school residing in and doing business in Kentucky shall be \$500 plus twenty-five (25) dollars for each additional \$10,000 of gross revenue in excess of \$50,000, not to exceed \$3,000.

(2)(a) Except as provided in paragraph (b) of this subsection, the annual renewal license fee

for a commercial driver license training school not residing in Kentucky, but doing business in Kentucky, shall be \$1,250.

(b) If the school's gross revenue exceeds \$50,000, the annual license fee for a school not residing in Kentucky, but doing business in Kentucky, shall be \$1,250 plus twenty-five (25) dollars for each additional \$10,000 of gross revenue earned from Kentucky resident students in excess of \$50,000, not to exceed \$3,000.

Section 4. (1) Evidence of Liability Insurance Coverage. Each application to operate a commercial driver license training school shall be accompanied by verification of liability insurance coverage for the commercial driver license training school from a Kentucky-licensed insurance carrier, as mandated by KRS 165A.475(1)(d).

(2) Verification of liability insurance coverage from the school's insurance carrier shall include on the policy complete listing of all equipment, serial numbers, vehicle identification numbers covered by the liability insurance with subsequent liability insurance coverage changes filed with the commission in writing within thirty (30) days of the subsequent change.

Section 5. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) Form PE 30 "Application for Resident Commercial Driver License Training School", 2017 edition; and

(b) Form PE 31 "Application for Non-resident Commercial Driver License Training School", 2017 edition.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Commission on Proprietary Education, 300 Sower Boulevard, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (30 Ky.R. 135; Am. 580; eff. 9-8-2003; 37 Ky.R.786; 1186; eff. 11-16-2010; Recodified from 201 KAR 40:050, 6-12-2014; 41 Ky.R. 125; 758; eff. 10-31-2014; TAm eff. 4-12-2017.)